

EcoRI News Roundup: November 2022

R.I. Supreme Court Ends Years-Long Battle Over Block Island Marina Expansion

The RI Supreme Court has rejected a controversial agreement between the Coastal Resources Management Council (CRMC) and Champlin's Marina & Resort that would have allowed the Block Island marina to expand, ending a nearly 20-year-old legal battle.

In its 54-page decision, the court affirmed a June 2021 Superior Court decision that denied the marina's plan to expand into Great Salt Pond, an environmentally sensitive tidal lagoon that covers more than 600 acres on the Northwestern side of the island.

The controversial memorandum of understanding (MOU), was brokered in November and December 2020 during private meetings between the marina's former owner and the CRMC board. The town of New Shoreham and other long-standing opponents of the project weren't involved with the agreement.

"Today's decision by our state's Supreme Court is a win for all Rhode Islanders not only because of what it means for the protection of our environment and coastal resources, but also because it reaffirms the principle that we were fighting for: Regulatory agencies have to follow the rules and cannot engage in ad-hoc, behind-closed-door deals that ignore their own procedures and evidence for the sake of expediency," Attorney General **Peter Neronha** said.

Neronha, in a March 2021 court filing, had questioned the role CRMC played in brokering the agreement. "Because this case remains in the exclusive jurisdiction of [the Supreme Court], CRMC's participation in the mediation itself was inappropriate," Neronha wrote at the time.

In rejecting the expansion, the Supreme Court wrote, "In light of the many competing activities and the intense public interest which they generate, it is of the utmost importance that the CRMC operate under a clear set of parameters."

The court found CRMC had no authority to engage in "private mediation" with Champlin's to settle the case while it was on appeal.

Why Are R.I.'s Apples So Small This Year?

Severe drought conditions that lasted through most of the summer took a bite out of some local orchards' harvest, producing smaller apples than past seasons.

Jan Eckhart, owner of **Sweet Berry Farm** in Middletown, said his orchard grew smaller, more flavorful apples this year after low rainfall in July and August. The weather impacted Empire and Macoun apples the most, he said.

"Some of them didn't size up," he said, adding that "they ripened a little bit earlier, so the season was earlier than usual."

The dry weather hasn't just impacted apples: drought can affect a number of fall features, including turning leaves earlier in the season or ruining seasonal harvests. And as climate change causes more extreme weather in RI, oscillating between extreme precipitation and drought, farmers will have to try

to work around these recurring problems.

Eckhart said his orchard doesn't have an irrigation system and this summer's weather made him nervous that his harvest might not survive, but heavy soil was the key to making it through.

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